SBCivil Contempt Petition No.69/2006

Sohan Lal
Vs.
Vinita Thakkur & Anr.

Date of Order :: 07.08.06

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. H.S.Sidhu, for the petitioner.
Mr. M.D.Purohit]
Mr. Vineet Mathur] for the contemner-respondents.
Mr. Hemant Purohit, Dy.Inspector General of Police, Bikaner Range, Bikaner, and
Mrs. Binita Thakur, Superintendent of Police, Hanumangarh are present in person.

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By order dated 22.2.2006, while issuing notice to show cause to the respondents in SBCivil Writ Petition No.1023/2006 an interim direction was given to interview the petitioner for the purpose of appointment to the post of Constable-Mounted provisionally.

The application to initiate proceedings under Contempt of Courts Act, 1971 (hereinafter referred to as “the Act of 1971”) was preferred by the petitioner on 2.3.2006 alleging deliberate and wilful non-compliance of the interim order dated 22.2.2006.

This Court by order dated 6.3.2006 issued notice to the respondents as to why contempt proceedings be not initiated against them under the Act of 1971. In response thereto the respondents filed

reply to the contempt petition and after considering the same this Court by order dated 25.7.2006 held that the respondents deliberately and wilfully disobeyed the direction given by this Court on 22.2.2006, therefore, a notice was issued to them as to why they be not punished in accordance with Section 12 of the Act of 1971. A direction was also given to the respondents to remain present before the Court, hence today they are present before the Court.

The respondents have tendered unconditional and unqualified apology in following terms:-

> "That I tender my un-conditional and un-qualified apology for any directly or indirectly, intended or un-intendedly contempt of this Hon'ble Court, and I pray this Hon'ble Court to accept the same.
>
> That it is relevant to submit here that pursuant to the direction given by this Hon'ble Court on 22.02.06 and 25.07.06, the Director General of Police, Rajasthan has constituted a Special Board for holding interview for the post of Constable Mounted, vide order dated 03.08.06, and in pursuant to it the petitioner was informed vide letter dated 03.08.06 and he was interviewed by the said Special Board on 05.08.06. The result of the petitioner has been kept in the sealed cover as directed by this Hon'ble Court.

> That at the cost of repetition the humble respondent No.1 once again tenders un-conditional apology."

It is also stated by the respondents that candidature of the petitioner is considered by the selection committee objectively on 5.8.2006 against existing six vacancies of Constable-Mounted available in Bikaner Range.

The respondents contemners have tendered unconditional and unqualified apology to the satisfaction of the Court and have also interviewed the petitioner in the spirit of interim order dated 22.2.2006 on 5.8.2006.

Accordingly, the apology tendered by the respondents is accepted and the respondents are discharged in accordance with proviso to Section 12 of the Act of 1971.

The contempt petition stands disposed of accordingly.

(GOVIND MATHUR),J.

kkm/ps.